

1165R Massachusetts Avenue
Ch. 40B ZBA Submission

Section 3.2.4 Evidence of Site Control

Please see the enclosed letter to Jessica Malcolm of MassHousing, dated June 26, 2020. This letter demonstrates control of the project site and the future land contribution by Joint Venture agreement.

Arlington Center Garage and Service Corporation

June 26, 2020

Jessica Malcolm
Acting Manager of Comprehensive Permit Programs
MassHousing
One Beacon Street
Boston, MA 02108

Re: 1165R Massachusetts Avenue, Arlington, MA

Dear Ms. Malcolm:

On behalf of Arlington Center Garage and Service Corporation, owner of 1165R Massachusetts Avenue, Arlington, MA ("Arlington Center"), this letter certifies that the joint venture agreement forming 1165R Mass MA Property LLC gives it authority to file and take action on the Site Approval / Project Eligibility Application filed pursuant to 769 CMR 56.04 for the above-referenced property.

1165R Mass MA Property LLC is a Joint Venture of Mirak Mill LLC (an affiliate of Arlington Center) and 1165R Mass MA Partners LLC whereby Arlington Center will be contributing the land on behalf of Mirak Mill LLC. Both Mirak Mill LLC and Arlington Center are signatories to the joint venture agreement with 1165R MA Partners LLC.

Very truly yours,

Julia Mirak Kew

4854785.1

Southern Middlesex - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 12/5/2019 4:16:17 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
12342363	DEED		12342/661	12/07/1972	475750.00
Property-Street Address and/or Description					
SEE RECORD					
Grantors					
GLADSTONE WILLIAM, SCHWAMB CORP					
Grantees					
ARLINGTON CENTER GARAGE & SERVICE CORP					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					

71075-24

BK 12342 PG 661

MASSACHUSETTS QUITCLAIM DEED INDIVIDUAL (LONG FORM) 082

William Gladstone, Receiver of The Schwamb Corporation, in Proceedings
for an Arrangement in U.S.D.C. for District of Massachusetts, No. 72-354,

of

County, Massachusetts

being unmarried, for consideration paid, and in full consideration of Four hundred Seventy-five thousand seven hundred and fifty (\$475,750.00) dollars grants to Arlington Center Garage & Service Corp., a Massachusetts Corporation with a usual place of business at 430 Massachusetts Avenue, Arlington

with quitclaim covenants

of land

(Description and encroachments, if any)

The land in Arlington (Middlesex County) Massachusetts, described in the following deeds:

Deed from Edwin S. Farmer to The Theodore Schwamb Company dated May 20, 1903 and recorded with Middlesex South District Deeds, Book 3041, Page 508;

Deed from Edwin S. Farmer to The Theodore Schwamb Company dated December 7, 1911, and recorded with said deeds Book 3657, Page 284;

Deed from Walter H. Pierce and Clara S. Pierce, his wife, to The Theodore Schwamb Company dated March 31, 1913 and recorded with said deeds Book 3776, Page 491;

Deed from Walter H. Peirce and Clara S. Peirce, his wife, to the Theodore Schwamb Company dated July 27, 1922 and recorded with said deeds Book 4539, Page 78;

Deed from Abbie F. Farmer to The Theodore Schwamb Company dated June 11, 1923 and recorded with said deeds Book 4624, Page 488.

There is excluded from the above conveyance the land described in the following deeds:

Deed from The Theodore Schwamb Company to Clara S. Peirce dated August 8, 1922 and recorded with said deeds Book 4571, Page 583;

Deed from The Theodore Schwamb Company to Layne - New York Co., Inc. dated January 7, 1946 and recorded with said deeds in Book 6941, Page 318;

Deed from The Theodore Schwamb Company to Ernest W. Larson et al, dated October 16, 1950 and recorded with said deeds Book 7656, Page 72.

Meaning and intending to convey and hereby conveying all the premises owned by The Schwamb Corporation in the rear of Forest Street, and Massachusetts Avenue in said Arlington whether or not specifically described in the first five deeds above referred to.

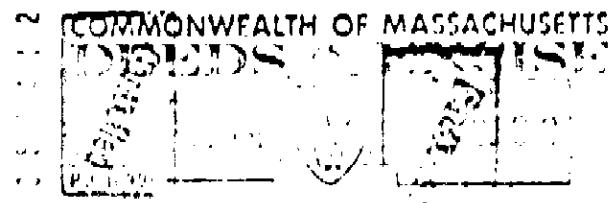
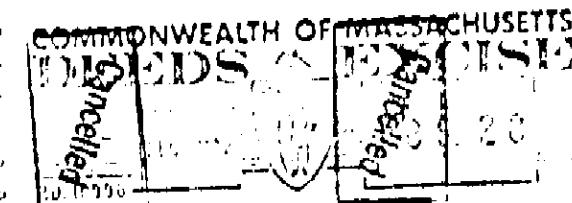
Said premises are conveyed subject to easements of record as they now apply to the above conveyed premises insofar as the same are in force.

The grantor hereby also conveys all buildings, structures and improvements now on the aforesaid land and the fixtures belonging to the Schwamb Corporation and used in connection therewith including, if any, furnaces, heaters, heating equipment, oil and gas burners and fixtures appurtenant thereto, hot water heaters, plumbing and bathroom fixtures, electric and other lighting fixtures, fences, gates and ventilators.

Witness my hand and seal this 5 day of December 1972.

William Gladstone

Reece



The Commonwealth of Massachusetts

Middlesex ss.

October 5, 1972.

Then personally appeared the above named

William Gladstone

and acknowledged the foregoing instrument to be his free act and deed, before me

Cynthia F. Gant
Notary Public — Justice of the Peace

My Commission Expires *July 14*, 1978

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

Southern Middlesex - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 12/5/2019 4:16:18 PM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
60139640	CONFDEED		12785/422	04/25/1975	475750.00
Property-Street Address and/or Description					
REAR OF FOREST ST					
Grantors					
GLADSTONE WILLIAM, SCHWAMB CORP					
Grantees					
ARLINGTON CENTER GARAGE AND SERVICE CORP					
References-Book/Pg Description Recorded Year					
22249/157 ORD 1992, 24728/37 ORD 1994, 33968/224 ORD 2001, 50215/176 LEASE 2007					
Registered Land Certificate(s)-Cert# Book/Pg					

William Gladstone, Receiver of The Schwamb Corporation, in Proceedings for an Arrangement in U.S.D.C. for District of Massachusetts, No. 72-354,

et

County, Massachusetts

being unmarried, for consideration paid, and in full consideration of Four-Hundred Seventy-Five Thousand Seven-Hundred- and Fifty (\$475,750.00) Dollars grants to Arlington Center Garage and Service Corporation, a Massachusetts Corporation with a usual place of business at 430 Massachusetts Avenue, Arlington

with quitclaim warrants

the land in

(Description and encumbrances, if any)

The land in Arlington (Middlesex County) Massachusetts, described in the following deeds:

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Deed from The Theodore Schwamb Company to Ernest W. Larson et al, dated October 16, 1950 and recorded with said deeds Book 7656, Page 72.

Meaning and intending to convey and hereby conveying all the premises owned by The Schwamb Corporation in the rear of Forest Street and Massachusetts Avenue in said Arlington whether or not specifically described in the first five deeds above referred to.

Said premises are conveyed subject to easements of record as they now apply to the above conveyed premises insofar as the same are in force.

The grantor hereby also conveys all buildings, structures and improvements now on the aforesaid land and the fixtures belonging to the Schwamb Corporation and used in connection therewith including, if any, furnaces, heaters, heating equipment, oil and gas burners and fixtures appurtenant thereto, hot water heaters, plumbing and bathroom fixtures, electric and other lighting fixtures, fences, gates and ventilators.

This Deed is given in confirmation of a Deed dated and recorded in Middlesex South District Registry of Deeds in Book 12342 at Page 659

MARGINAL REFERENCE REQUESTED

BOOK 12342 PAGE 659

(*Individual — Joint Tenants — Tenants in Common — Tenants by the Entirety.)

Witness my hand and seal this 11 day of February, 1975.

William Gladstone Receiver
William Gladstone, Receiver

The Commonwealth of Massachusetts

Suffolk

ss.

February 11 1975

Then personally appeared the above named William Gladstone

and acknowledged the foregoing instrument to be his free act and deed, before me

Milton X. Chain

Notary Public — Justice of the Peace

My Commission Expires September 2, 1977

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have enclosed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereon in dollars or the name of the other consideration thereon, if any, and a recital of a specific monetary sum. The full consideration shall mean the full price for the land and without deduction for any taxes or expenses assumed by the grantee or remitted to him. All such documents and deeds shall be certified copies of the original instruments, provided this section shall not affect the recording of leases. No copy of deeds shall be accepted for record on behalf of the grantee.

y2



2019 00016788
 Bk: 72212 Pg: 544 Doc: DEED
 Page: 1 of 2 02/08/2019 01:13 PM

Vacant Lot 8D adjacent to Mill Brook Conduit in Arlington, Massachusetts

QUITCLAIM DEED

YUKON REALTY ASSOCIATES, LLC, a Delaware limited liability company duly qualified to do business in the Commonwealth of Massachusetts and having a usual place of business at 1125 Massachusetts Avenue, Arlington, Massachusetts 02474, (the "Grantor"), for consideration paid of One Hundred Fifty Thousand Dollars (\$150,000.00), grants to ARLINGTON CENTER GARAGE AND SERVICE CORPORATION, a Massachusetts corporation with a usual place of business at 438 Massachusetts Avenue, Arlington, Massachusetts 02474, with QUITCLAIM COVENANTS, that certain parcel of vacant land containing 2950 square feet of land located adjacent to the Mill Brook Conduit in Arlington, Massachusetts, and shown as Lot 8D on a plan of land to be recorded herewith, as "Plan of Land in Arlington, MA"; scale 1" = 40' dated December 28, 2018 by RIM Engineering Co., Inc. and being more particularly bounded and described as follows:

NORTHEASTERLY: By Lot 9 on said Plan 69.86 feet;
 SOUTHEASTERLY: By Lot 8B on said Plan 46.33 feet;
 SOUTHWESTERLY: By Mill Brook Conduit on said Plan 29.80 feet and 48.88 feet; and
 NORTHWESTERLY: By Lot 9 on said Plan 33.25 feet.

Said premises are conveyed subject to all easements, restrictions, and conditions of record insofar as the same are in full force and effect.

For Grantor's title, see Deed from Arlington Center Garage and Service Corporation to Yukon Realty Associates, LLC dated December 31, 2002 and recorded with Middlesex South District Registry of Deeds in Book 37850, Page 613.

2019

10-110

Plan #

return to:

DONNA M. COYLE
 GILMAN, MC LAUGHLIN & HANRAHAN LLP
 101 MERRIMAC STREET, SUITE 810
 BOSTON, MA 02114

MASSACHUSETTS EXCISE TAX
 Southern Middlesex District ROD # 001
 Date: 02/08/2019 01:13 PM
 Ctrl# 295683 16633 Doc# 00016788
 Fee: \$684.00 Cons: \$150,000.00

EXECUTED as a sealed instrument this 7 day of February, 2019.

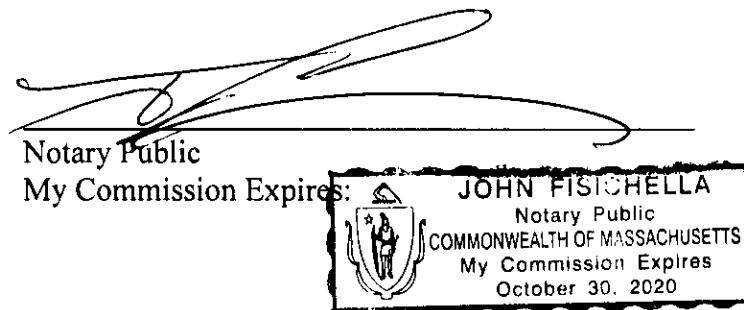
YUKON REALTY ASSOCIATES, LLC

By: Edward Y. Mirak
Name: Edward Y. Mirak
Title: Manager
Hereunto duly authorized

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this 7 day of February, 2019, before me, the undersigned notary public, personally appeared Edward Y. Mirak, as Manager of Yukon Realty Associates, LLC, proved to me through satisfactory evidence of identification, which was Edward Y. Mirak, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Manager of YUKON REALTY ASSOCIATES, LLC and acknowledge said instrument to be the free act and deed of YUKON REALTY ASSOCIATES, LLC.



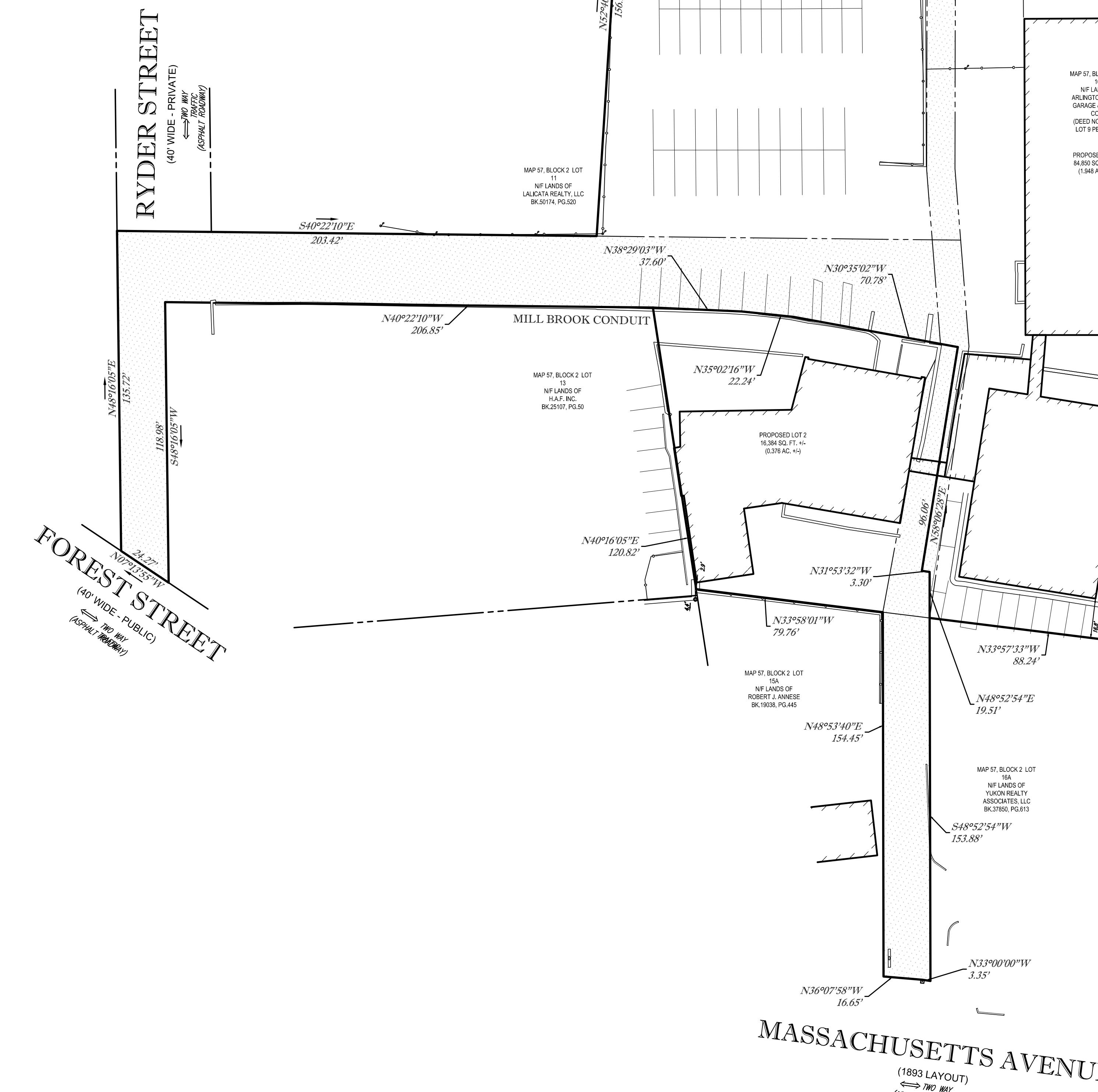
FOR REGISTRY USE ONLY

CONTROL POINT ASSOCIATES, INC. - ALL RIGHTS RESERVED.
COPYING OR REUSE OF THIS DOCUMENT, OR PORTIONS THEREOF, FOR OTHER THAN THE ORIGINAL PROJECT OR PURPOSE INTENDED, WITHOUT THE WRITTEN PERMISSION OF CONTROL POINT ASSOCIATES, INC., IS PROHIBITED.

TOWN OF ARLINGTON

DATE

THE SUBDIVISION CONTROL LAW HAS NOT
BEEN ADOPTED BY THE TOWN OF ARLINGTON



MASSACHUSETTS AVENUE

(1893 LAYOUT)
↔ TWO WAY

(1893 LAYOUT)
↔ TWO WAY
(ASPHALT TRAFFICWAY)

(1893 LAYOUT)
↔ TWO WAY
(ASPHALT TRAFFICWAY)

THIS IS TO CERTIFY THAT THIS SURVEY HAS BEEN
PERFORMED IN THE FIELD UNDER MY SUPERVISION,
AND IS SUBSTANTIALLY CORRECT TO THE DEGREE OF
ACCURACY SHOWN HEREON.



1	REVISED LOT CONFIGURATION		N/A	R.J.K.	G.L.H.	5-4-2020
No.	DESCRIPTION OF REVISION		FIELD CREW	DRAWN:	APPROVED:	DATE
FIELD DATE 12-3-2019	SUBDIVISION PLAN OF LAND ARLINGTON CENTER GARAGE & SERVICE CORP. 1167 MASSACHUSETTS AVENUE MAP 57, BLOCK 2, LOT 10B & PART OF LOT 15 TOWN OF ARLINGTON, MIDDLESEX COUNTY COMMONWEALTH OF MASSACHUSETTS					
FIELD CREW S.B.H.	CONTROL POINT A S S O C I A T E S , I N C .  352 TURNPIKE ROAD SOUTHBOROUGH, MA 01772 508.948.3000 - 508.948.3003 FAX					
DRAWN: R.J.K.	ALBANY, NY 5182175010 CHALFONT, PA 2157129800 MANHATTAN, NY 6467800411 MT LAUREL, NJ 6098572099 WARREN, NJ 9086680099					
REVIEWED: A.J.D.	APPROVED: G.L.H.	DATE 1-2-2020	SCALE 1"=30'	FILE NO. 03-190272	DWG. NO. 1 OF 1	

1	REVISED LOT CONFIGURATION	N/A	R.J.K.	G.L.H.	5-4-2020
No.	DESCRIPTION OF REVISION	FIELD CREW	DRAWN:	APPROVED:	DATE

FIELD DATE	SUBDIVISION PLAN OF LAND
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12-3-2019 SUBDIVISION PLAN OF LAND

FIELD BOOK NO. 1

ARLINGTON CENTER GARAGE & SERVICE CORP.

MA19-20 1167 MASSACHUSETTS AVENUE
MAP 17, BLOCK 1, LOT 102, PAGE 071, CT 17

FIELD BOOK PG.

MAP 57, BLOCK 2, LOT 10B & PART OF LOT 15
TOWN OF ARLINGTON, MIDDLESEX COUNTY

**TOWN OF ARLINGTON, MIDDLESEX COUNTY
COMMONWEALTH OF MASSACHUSETTS**

FIELD CREW CONTROL POINT

S.B.H. CONTROL POINT
ASSOCIATES, INC. ALBANY, NY 5182175010

DRAWN: ASSOCIATES, INC. CHALFONT, PA 2157129800
352 TURNPIKE ROAD MANHATTAN, NY 6467800411

R.J.K. SOUTHBOROUGH, MA 01772 MT LAUREL, NJ 0898572099
508.948.3000 - 508.948.3003 FAX WARREN, NJ 9086680099

REVIEWED:	APPROVED:	DATE	SCALE	FILE NO.	DWG. NO.
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REVIEWED: APPROVED: DATE: SIGNATURE: FILE NO.: DIVISION:
A.J.D. G.L.H. 1-2-2020 1"=30' 03-190272 1 OF 1